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KT photo | Tim Bath

House of Burgess - The limits of freedom

By Rob Burgess
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I'm a big, fat hypocrite.

I was reminded of this fact after hearing about a series of varied social controls put into place by local municipalities over the course of the last few weeks. It began when New York City mayor Michael Bloomberg proposed a prohibition on the sale of soda and other sweetened drinks in containers larger than 16 ounces that are sold in restaurants, movies theaters, at food carts and ball parks.

“We’re not banning you from getting the stuff,” he told the Today Show on June 1. “It’s just if you want 32 ounces, the restaurant has to serve it in two glasses. That’s not exactly taking away your freedoms. It’s not something the Founding Fathers fought for. ... And all the studies show if the glass or the plate in front of you is smaller, you’ll eat less.”

New York City has been the site of past skirmishes between individual will and state control of fun. From what I understand, Times Square used to be filth central – that is until former mayor Rudy Giuliani led the charge to scrub it clean. I can’t say this with any certainty because the one time I’ve visited it was about as sanitized as a Pat Boone song, with Starbucks bleeding into Applebee’s franchises at every corner. In 2006, Bloomberg himself saw to it that New York City was the first in the nation to outlaw unsaturated fats. He has also banned smoking in bars, restaurants, parks, beaches, public plazas and boardwalks. And in addition to the new ginormous pop ban, he now wants to require owners of residential buildings to adopt written policies on where cigarettes are verboten, according to the New York Daily News.

But 200 miles and 10 days after Bloomberg took his war on high fructose corn syrup to the airwaves, the plot thickened. “Residents in Middleborough, Mass. voted [on June 11] to make the foul-mouthed

pay fines for swearing in public,” reported the Associated Press. “At a town meeting, residents voted 183-50 to approve a proposal from the police chief to impose a \$20 fine on public profanity. Officials insist the proposal was not intended to censor casual or private conversations, but instead to crack down on loud, profanity-laden language used by teens and other young people in the downtown

area and public parks.” Enforcement-wise this seems downright troublesome because according to the article, the ordinance gives police discretion over enforcement. How are you going to sort out who is being profane or not? Are we using 1950s television standards here? And what kind of appeals process would there be? It all seems suspiciously subjective.

In examining my own reaction to these seemingly disparate, yet related issues, I’m inclined to think that the beverage law is sensible, but anything short of the most liberal interpretation of the First Amendment is wrong-headed. This fits my needs, so my opinions bend accordingly. It turns out I’m a hard-liner when it comes to enforcing nanny-state-style controls on things I don’t agree with, and a protective mother hen on freedoms I consider sacred. It’s all relative and very, very convenient for my own lifestyle. It’s not that I care all that much how other people choose to hurt themselves, but I wasn’t using that method anyway. So what do I care?

My basic thoughts on government controls of personal freedom were best summed up by friend Ryan. One sunny Northern California afternoon, we were all sitting around talking about the fact that Michelle and Jim Bob Duggar, of “19 Kids and Counting” fame, were about to add another child to her ever-growing brood. I loudly protested that for reasons of resource conservation and overpopulation, a law had to be enacted or a SWAT team sent in – anything to stop them from filling the planet with any more of their children with names that start with the letter “J.” She was appalled and tried to talk me down to no avail.

“You just think that everyone should live under your rules because you think you know best!” she finally exclaimed, exasperated. I paused a beat, taken aback at myself. And then replied: “Well, yeah!”

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